REMARKS:

Favorable reconsideration of this application is respectfully requested in view of the foregoing amendments and the following remarks.

Claims 1, 2, 11 and 13 have been canceled without prejudice or disclaimer of the subject matter contained therein. Claim 15 has been added. No new matter is presented. The rejections are traversed below.

Thus, claims 3-10, 12, 14 and 15 remain pending under consideration in the present application, of which claims 3, 4, 12 and 14 are independent.

Claim Rejection Under 35 U.S.C. §102:

Claims 3-10, 12 and 14 are rejected under 35 U.S.C. §102(b) as being anticipated by Jackson et al. (U.S. Patent Application Publication No. 2002/0152305, Jackson hereinafter).

INDEPENDENT CLAIM 3

As an example, independent claim 3 recites (among other things):

> generates an approximate function that expresses a correlation between a transaction processing amount and a required resource amount, based on correspondence between the past transaction processing amount and the amount of resource used in the past corresponding to the target module ..., and
>
> generates a predicted transition of the required resource amount by substituting the transaction occurrence amount of the target module ... for the transaction processing amount of the approximate function;
>
> (Underlining is added for emphasis).

As explained below, at least this feature of claim 3 is a distinction over Jackson.

Jackson merely describes Forecast_load(i, Z, cur+1) without any discussion of "a correlation between a transaction processing amount and a required resource amount", "correspondence between the past transaction processing amount and the amount of resource used in the past" and "substituting the transaction occurrence amount of the target module ... for the transaction processing amount", as taught by the claimed invention (see, claim 3 for example).

In particular, paragraph 0552 of Jackson explicitly states:

> Forecast_load(i, Z, cur+1) may be used to give a reasonable approximation for what percentage of the time in the time window Z that the utilization level of the subsystem i will be higher than U.
>
> (emphasis added).

There is no teaching or suggestion of "a correlation between a transaction processing amount and a required resource amount" in Jackson. Also, none of the paragraphs 0559-0570 of Jackson disclose nor suggest "a correlation between a transaction processing amount and a required resource amount".

Since paragraphs 0552 and 0559-0570 of Jackson do not disclose nor suggest "a correlation between a transaction processing amount and a required resource amount", Jackson clearly fails to suggest "substituting the transaction occurrence amount of the target module ... for the transaction processing amount" (emphasis added).

The Office Action also cites paragraph 0452 of Jackson as indication of "applying the function". However, it is respectfully submitted that paragraph 0452 of Jackson does not disclose nor suggest "substituting the transaction occurrence amount of the target module ... for the transaction processing amount", as taught by the claimed invention.

Hence, at least the feature of claim 3 that "generates an approximate function that expresses a correlation between a transaction processing amount and a required resource amount, based on correspondence between the past transaction processing amount and the amount of resource used in the past corresponding to the target module ..., and generates a predicted transition of the required resource amount by substituting the transaction occurrence amount of the target module ... for the transaction processing amount of the approximate function", is patentably distinguishable over Jackson.

Moreover, Jackson merely discusses logging resource utilization information when a certain threshold is exceeded (see, paragraph 442). In contrast, the claimed invention enables adjusting of information of a resource including by "substituting the transaction occurrence amount of the target module ... for the transaction processing amount" and "fluctuating an allocation of resource amount of the target module in accordance with the predicted transition of the required resource amount (see each of independent claims 3, 4, 12 and 14).

Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim. In view of the distinction of claim 3 noted above, at least one claimed element is not present in Jackson. Hence, Jackson does not anticipate claim 3.

Independent claims 4, 12 and 14 also recite similar features as claim 3. Thus, for at least the above mentioned reasons with respect to claim 3, claims 4, 12 and 14 are also

patentably distinguishable over Jackson.

It is submitted that the independent claims are patentable over Jackson.

For at least the above-mentioned reasons, claims depending from the independent claims are patentably distinguishable over Jackson. The dependent claims are also independently patentable. For example, as recited in claim 7, "preferentially allocating resources to the target module during a period since a required resource amount of the target module reaches a predetermined bottleneck detection threshold until a required resource amount of the target module reaches a bottleneck elimination threshold." Jackson does not teach or suggest these features of claim 7.

In view of the foregoing discussion, the rejection of claims 3-10, 12 and 14 is improper. Accordingly, withdrawal of the rejection is respectfully requested.

New Claims:

New claim 15 has been added. Distinguishing features of claims 3-10, 12 and 14 have been noted above. As for new claim 15 not argued above, the following comments are provided.

New claim 15 depends from claim 3, and so at least similarly distinguishes over the asserted combination of references.

Conclusion:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters. If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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